

RECEIVED  
CENTRAL FAX CENTER

JAN 16 2004

OFFICIAL

Facsimile Cover Sheet

To: Deepak R. Rao, Examiner  
Art Unit 1624  
U. S. Patent and Trademark Office  
Fax: (703) 872-9306

From: Joyce Cohen, Reg. No. 44,622  
Patent Agent  
Company: Theravance, Inc.  
Telephone: 650-808-6144  
Fax: 650-808-6078  
Date: January 16, 2004  
# of pages: 21 (including this page)

Re: Amendment After Final Rejection and Response Under 37 C.F.R. §1.116  
U. S. Serial No.: 09/943,420 Group Art Unit: 1624  
Title: Sodium Channel Modulators Examiner: Deepak R. Rao

This transmission contains the following:

1. Amendment After Final Rejection and Response Under 37 C.F.R. §1.116 (20 pages)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted on the date shown below via facsimile to the Commissioner for Patents, United States Patent and Trademark Office, Mail Stop AF, P. O. Box 1450, Alexandria, VA 22313-1450 at the facsimile number indicated below.

Date: January 16, 2004

Facsimile Number: (703) 872-9306

By: Barbara Bryant

Barbara Bryant

Notice of Confidentiality

The following transmittal contains confidential information intended exclusively for the above-named person. Use, copying, distribution or disclosure of information transmitted in error is strictly prohibited. Please call Theravance, Inc. at the above number if you have received this fax in error, and either destroy or return the enclosures to us.

---

PRIVILEGED AND CONFIDENTIAL

---

901 Gateway Blvd., South San Francisco, CA 94080; Tel. (650) 808-6000; Fax (650) 808-6078

**OFFICIAL**  
21002**RECEIVED  
CENTRAL FAX CENTER**

JAN 16 2004

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted on the date shown below via facsimile to the Commissioner for Patents at the number indicated below.

Date: January 16, 2004Facsimile Number: (703) 872-9306By: Barbara Bryant  
Barbara BryantPatentAttorney's Docket No. P-097-R**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )

Jason P. CHINN et al. )

Group Art Unit: 1624 )

Application No.: 09/943,420 )

Examiner: Deepak R. Rao )

Filed: August 30, 2001 )

For: SODIUM CHANNEL  
MODULATORS )**AMENDMENT AFTER FINAL REJECTION AND  
RESPONSE UNDER 37 C.F.R. §1.116**Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Applicants respectfully submit the following amendments and remarks in response to the Final Office Action mailed on October 22, 2003, for which a three month response period was designated. Therefore, this response is considered timely filed on or before January 22, 2004.

Applicants believe that the following amendments place the application in condition for allowance.